

MM 93-48/

RECEIVED

JUN 16 1995

FCC MAIL ROOM

DOCKET FILE COPY ORIGINAL

Breaking the Spell
Towards a Reconciliation of Television and Education

June 15, 1995

**Comments presented to the FCC
in response to its
Notice of Proposed Rule Making
Dated: April 7, 1995**

Prepared on behalf of:
The Center for Educational Priorities
2269 Chestnut Street # 301
San Francisco, California 94123
(415) 995-4988
by Brian Burke, Director
email: btburke@cep.org

Table of Contents

I. The Struggle for Educational Priorities	page 2
II. An Evaluation of the FCC's Proposed Rule Changes	page 7
III. CEP's Recommendations to the FCC	page 13
Notes	page 17
Appendix: About the CEP	page 19

“Television is teaching all the time. Does more educating than the schools and all the institutions of higher learning.”¹

—Marshal McLuan

“Television, whether you like it or not, is the most powerful educational force known to man.”²

—Fred Friendly, Former President of CBS News

“Entertainment is the most powerful educational force of any culture.”³

—George Gerber, Ph.D, University of Pennsylvania

“Everything on television is educating in the broadest sense of the word.”⁴

—Dorothy Singer, EdD, Yale University

“Television is basically teaching whether you want it to or not.”⁵

—Jim Henson, Muppets Creator

“We cannot blame the schools alone for the dismal decline in SAT verbal scores. When our kids come home from school do they pick up a book or do they sit glued to the tube, watching music videos. Parents, don’t make the mistake of thinking your kid only learn between 9:00 am and 3:00 p.m.”⁶

—President George Bush

The Struggle for Educational Priorities

There was a time when educators had the place to themselves. The broad cultural landscape was pretty much their territory. They prowled the savannah's and forests of the Western mind as savvy guides, keen deciphers of the land, gate-keepers to its future. A tall claim for education, perhaps, but one that held sway throughout the Western world despite centuries of superstition, prejudice, war, and nihilism. It survives because it reaches to the depth of our identity as a people. As Robert M. Hutchins notes, "The spirit of Western Civilization is the spirit of inquiry. Its dominant element is Logos...The exchange of ideas is held to be the path to the realization of the potentialities of the race."⁷ At the formation of our own national identity James Madison made clear our priorities noting that, "Knowledge will forever govern ignorance; and a people who mean to be their own governors must arm themselves with the power which knowledge gives."⁸ This reliance on education for our political survival is echoed today by Stanley Aronowitz: "Since critical thinking is the fundamental precondition for an autonomous and self-motivated public or citizenry, its decline would threaten the future of democratic social, cultural, and political forms."⁹

But the claims of education stretch far beyond the political arena. In modern America education has increased its stature as a vehicle of social mobility and economic integration, a necessity for economic survival in the high-skilled age of information. In the struggle to remedy the ills of society, education is often our first line of defense. "The educational system is the society's attempt to perpetuate itself and its own ideals," observes Robert M. Hutchins. "If a society wishes to improve, it will use the educational system for that purpose."¹⁰ Or as Barbara Bush once said, "I'm trying to remind people that there's a direct correlation between crime and illiteracy, between illiteracy and unemployment."¹¹

Nothing, however, challenged the claims of education more than television's arrival in the middle of the twentieth century. Conflict was inevitable because they both claimed a powerful priority to the minds of America. The story of the struggle, the loss of territory, the stubborn but gradual retreat, is recorded in the chilling reports from the National Assessment of Educational Progress, declining SAT scores, stern warnings from the business community, and in the policy annals of the FCC itself.

Today, relegated to the stodgy crevices and highlands of the intellect, many teachers feel like Sisyphus, condemned to see their labors unravel at the end of each day by a culture careening down the slopes of entertainment. According to the National Association of Educational Progress the reasons for this plummeting bobsled are evident: "Increased dependency on television; chronic or substandard reading and writing habits of millions of young people, and the failure of many families and schools to cope with the problems."¹²

Families and schools, however, are not the only ones who have failed to cope with the problems. For decades the FCC and the networks have been paralyzed, caught on the horns of a perplexing dilemma, and one fraught with economic,

political, cultural, and moral implications. On one side rests a *lazzai-fairre* trust that the will of the people is best expressed through non-regulated market forces. Broadcasters, it contends, should be free to travel wherever the market may guide them. On the other side of the dilemma is a similar trust, a belief that the airways belong to the people and must serve the public's democratic need for information and education. The new Federal Communication Commission, created under the Communications Act of 1934, would it seems have the Herculean task to reconcile these disparate claims.

The Communications Act of 1934 clearly mentions a trust and assures us that broadcasters must use the airways with "the interest, convenience, and necessity" of the public in mind.¹³ But no structure and no incentive was created to either define or accomplish such a task and thus the official hand tipped towards a non-regulated, market-driven airway, though the FCC reserved (at least in concept) the public's right of way. Lacking any manageable way to enforce this public interest clause, members of Congress and the FCC were left with little to do but remonstrate against the encroaching "wilderness." What occurred over the years may be dubbed the period of the "Great Exclusion," a series of regulations that could never clearly define educational expectations of the networks, and so tacitly excluded educational interests from the airways. The few inroads education had made on the airways, showcases of classical arts, children's theater, live orchestras, in-depth analysis, gradually succumbed to the wilderness. These early years of television reveal a medium that had yet to discover itself, one in fact that looked to the educational model for leadership and focus. But by the 1960s, television had become infatuated with entertainment and was in full possession of its powers; and like a homeless neighbor, education was left to fend for itself. Amidst heightening public alarm Congress eventually created, seemingly as a last resort, the Public Broadcasting Act of 1967, signed by President Lyndon Johnson. Education had finally found a crevice on the airways, a narrow passageway through which it could now reach the minds of American children.

In the ensuing decades, however, educators began to realize that on the broader plains of commercial television a contagion had spread for which they had few defenses. By the 1980s an increasingly deregulated industry had made some decisive victories vis-à-vis education, the most noticeable being the sheer number of hours television was consuming of a child's day.¹⁴

But television dominates more than a child's time. It assumes the characteristics of the cultural landscape around it, replacing narratives with its own stories, concocting its own heroes, fabricating its own legends, defines its own grammatical rules. As Senator Bill Bradley recently observed, "At a time when harassed parents spend less with their children, they've ceded to television more and more the all important role of story telling which is essential to the formation of the moral education that sustains a civil society."¹⁵

David Marc has argued that even if television is single-mindedly commercial, it "leaves behind a body of dreams that is, to a large extent, the culture we live in." And his conclusion is enough to set a teacher's teeth on edge: Television, he asserts, not education, is the "most effective purveyor of language, image, and narrative in

American culture."¹⁶ To George Gerbner, the power of television is even more extensive. Writing in the *Journal of Communication* he notes that, "Television provides, perhaps for the first time since preindustrial religion, a strong cultural link, a shared daily ritual of highly compelling and informative content..."¹⁷ Like a unruly college student that takes over the dean's office, television will actually expropriate the terms and structures of education for its own promotion as Michael T. Marsden proudly beams, "The television commercial...I have christened [it] the sonnet form of the twentieth century..."¹⁸

Television's transformational claims to the world around it affects every aspect of our lives, including our politics where it draws frequent complaints from commentators such as *Time* magazine's Lance Morrow who saw the 1988 presidential election as "a series of television visuals, of staged events created for TV cameras. The issues have become as weightless as clouds of electrons, and the candidates mere actors in commercials..."¹⁹ Lacking serious debate or analysis pollster Lou Harris made the obvious conclusion: "The simple story of this election is that the Bush commercials have worked and the Dukakis commercials have not."²⁰

The commercial character of television has itself drawn intense fire for it's replacement of rational discourse with mass marketing techniques. Vance Packard in his famous book *The Hidden Persuaders* was horrified by "the extraordinary ability of TV to etch messages on your brains" and argued that "many of us are being influenced and manipulated far more than we realize, in patterns of our everyday lives."²¹ In a similar vein Daniel Boorstein argued that most Americans seriously under estimate the effect of advertising. "We think it means an increase in untruthfulness. In fact, it has meant a reshaping of our very concept of truth."²² The argument is seldom refuted: modern advertising as epitomized on television doesn't adhere to common rules of persuasion, but has formulated its own game plan utilizes various diversionary tactics to motivate the viewer, tactics that are intended to subvert the rational process with rapid fire images, emotional appeals, and incoherent arguments. In response to such advertising directed at children, vice-president Al Gore commented angrily, "We are strip-mining our children's minds and doing it for commercial profit."²³

Nothing concerns parents and educators more that the potential effect television may have on the brains of their children. Neil Postman has argued that while watching television, "we are largely using the right hemisphere of the brain, the left possibly being somewhat of a burden in the process. Thus continuous television watching over centuries could conceivably have the effect of weakening left brain activity and producing a population of "right-brained" people...in other words, people whose state of mind is somewhat analogous to that of a modern day baboon."²⁴ The challenge to education has perhaps never been more direct. According to Kate Moody, "The eye and brain functions employed in TV viewing are likely to put demands on different parts of the brain than those used in reading, causing incalculably different kinds of cognitive development..."²⁵ Many of the potential effects on the brain are related to the specific techniques utilized by television. Speaking specifically of images, Neil Postman suggests that television's "imagery is fast moving, concrete, discontinuous, and alogical, requiring emotional response, not

conceptual processing..." Thus for Postman, "the TV curriculum poses a serious challenge, not merely to school performance, but civilization itself."²⁶

Many people have also noted television's affect on behavior, charging that it encourages passivity, indifference, and violence. In 1988 Professor Aletha C. Huston told Congress that "virtually all independent scholars agree that there is evidence that television can cause aggressive behavior."²⁷ Others see the effects of heavy television viewing most apparent in the use of our language. According to Harper's magazine the written vocabulary of the average 6-14 year old child in the United States has shrunk from 25,000 words to 10,000 words in less than 50 years.²⁸ Words and phrases are being replaced by symbols and icons. Victor Walling, a strategy analyst, complains that "we already see symbols taking the place of words on road signs, restrooms, and TV commercials."²⁹ And Leon Botstein recognizes once again the ultimate effect television has on education: "The simplification and standardization of language...restricts the range of expression and thought, even silent internal rumination. In this sense, eloquence and even originality, from the perspective of the classroom have become superfluous....The oral tradition has triumphed over the written."³⁰ Professor Lois DeBakey at Baylor University echoes the concern: "What we are creating is a kind of semiliteracy—a breakdown in the way we communicate with one another."³¹

By 1980s television had teamed up with popular culture to give education a sound trouncing. Anti-intellectualism, it seemed, had reached an appalling level as teachers confronted a television culture of insults and disrespect, "Beavis and Butt-head" was one of the many manifestations of television's new ironic attachment to stupidity. Congress moved once more to articulate the claims of education by passing the Children's Television Act of 1990, urging that broadcasters once more heed their responsibility to the "educational and informational needs of children." The FCC followed with a request that licensees submit a list of programs that meet the new mandate, only to find two years later that few broadcasters had taken the law seriously and were listing cartoons such as *The Flintstones* and *GI Joe* as educational.³²

The FCC's recent proposals clearly demonstrate a renewed vigor in their efforts at enforcement, an open recognition that the public voice, as articulate by Congress, will no longer countenance such broadcasting evasions. Overall the Commission proposals reflect an earnest attempt to arrive at a resolution to the conflicts between television and education. But a true answer to the resolution, including ways of holding broadcasters accountable, is as elusive as ever. The Commission's twin principles of utilizing free market forces with an informed public, however, will certainly provide the necessary groundwork for establishing cooperation among broadcasters, parents, advertisers, and teachers.

We suggest, in fact, that cooperation be added to the list of Commission principles because we believe that in the spirit of cooperation we may ignite a significant and lasting resolution. The cooperation we suggest begins by retrieving education from the backwaters of American culture and integrating it into the very fabric of our solution. We believe that the FCC can take a decisive role in the solution

by adopting an educational model in its efforts to enliven the mandate for educational programming. In essence we believe that teachers share the very same mandate as broadcasters and have much to offer them, especially in the assessment of educational outcomes. The current Secretary of Education, Richard W. Riley, also urges cooperation in solving the nation's educational crisis, suggesting that schools, communities, businesses, and state and federal governments should work together to support families. He also admitted that "Just about everyone agrees that the federal government must be a supportive partner with the states and communities to improve the schools."³³ Perhaps the FCC could easily see itself as a participant in the national educational enterprise. Just as broadcasters must their educational role, the FCC itself, should assume an educational stance in the enhancement of the public airways.

Numerous programs throughout the decades have shown us that education and television can work together. For example, most recently, the Center for Research on the Influences of Television on Children at the University of Kansas has confirmed what Peggy Charrin and others have known for years: television can truly teach and in the finest sense of the word. In their study, one of the most extensive done on children's programming, they concluded that "Sesame Street" produced within its viewers significant increases in word knowledge, vocabulary, mathematics, and general school readiness. On the other hand, children who were heavy viewers of cartoons and general adult programming performed more poorly.³⁴

There is no doubt that both education and culture are powerful tools of change in society. Working together they could affect the lives of America and its children profoundly. But it is always important to remember that although both are indeed powerful, only education allows us to change that which changes us and therefore retains the highest priority.

An Evaluation of the FCC's New Proposed Rule Changes

Basic Principles: The Center for Educational Priorities strongly supports the basic principles adopted by the FCC in developing their proposed rule changes.³⁵ These principles, we believe, are a starting point for the resolution of the major conflicts between the claims of education and the claims of television. These guiding principles show that the FCC has clearly aligned itself in both spirit and word to the intentions of the Children's Television Act of 1990 as well as with the "public fiduciary" philosophy as established by the Communications Act of 1934.

The principle of utilizing free market forces coupled with the principle of an informed citizenry will certainly provide the necessary groundwork for establishing cooperation among broadcasters, parents, advertisers, and teachers. The freedom of broadcasters to create programming dictated by market forces places our trust essentially in the people. As Thomas Jefferson once wrote to a friend, "I know of no safe depository of the ultimate powers of society but the people themselves..."³⁶ Regulating the quality or quantity of particular programs threatens to encroach on First Amendment rights and is, in any practical sense, fraught with difficulties. For example, such controls often backfire, investing popularity in the very experience one finds offensive. Creating a bias for specific programs deemed "educational" likewise invites disaster. A favored program could easily be construed as the government's "official" word or, at best, nothing more than the inconsequential work of a stooge. It is for these reasons we believe that a *laissez-faire* approach, clear of both quantitative or qualitative controls is the only viable choice for a free democracy.

This trust, however, cannot exist without justification. Its vindication lies in knowledge, in our collective wisdom and understanding of what is best for ourselves and our children. As Thomas Jefferson also wrote, "If a nation expects to be ignorant and free, in a state of civilization, it expects what was and never will be."³⁷ Thus the principles of a free market and an informed audience are two sides of the same coin. Freedom without knowledge is like knowledge without freedom; one is useless without the other.

The third principle of the FCC's NPRM emphasizes the importance of clarity, simplicity, and fairness in the application of its rules pertaining to licensee renewal.³⁸ We support this principle because we believe no other factor in the history of television has had such an egregious effect on the progress of educational television than the confusion and uncertainty over programming expectations. This confusion reflects an historic inability to reconcile the competing claims of education and television.

In summary, the FCC is to be commended for establishing their guiding principles. We believe that the FCC is faced nonetheless with a difficult task in implementing these principles and that the actions proposed by the FCC are problematic and insufficient alone to make a significant impact on children's educational TV. What follows is an evaluation and critique of these proposed changes.

The FCC Proposals: An Evaluation

Introduction: With the above guiding principles in mind the FCC has proposed several changes in their rules, definitions, guidelines, and standards.³⁹ Many of these changes are significant advancements in the struggle for educational television; others are valuable in concept, but do not significantly alter the present situation nor satisfy the guiding principles established by the Commission. Still other proposals are clearly detrimental and may jeopardize future efforts to improve educational programming. What follows is an evaluation of each of the FCC's proposed changes.

Easy Access to Information: As mentioned above, the natural counterbalance to a hands-off, market-driven, broadcasting policy is the creation of an informed public. The Commission has taken a major step towards such a goal by proposing that broadcasters provide viewers with pertinent information on their educational programming.⁴⁰ It proposes that information such as written educational objectives, schedules, and reports on their efforts to meet the educational needs of children be available to the public. It is also proposed that broadcasters make available the name of a station contact and "make efforts to publicize" this information.

These proposals are indeed a necessary step towards providing parents and others with important information pertinent to their child's education. There are, however, two items on which we wish to raise objections. The first item is the proposal that "stations should identify programs" as educational or informational.⁴¹ This is undoubtedly appropriate and useful for pre-schoolers and the parents of pre-schoolers, but not appropriate for school-age children. Such identifications may be a kiss of death in the intensely self-conscious realm of coolness to which all first graders are embarking. If McDonald's wants to sell hamburgers it doesn't label them as "educational." If MTV wants to sell an idea it doesn't get the endorsement of the local teacher. This is reality. So, if a broadcasting station wants to sell education (and succeed) it will probably find a way around the stigma. In this manner, the accountability should always be in the outcome, not in the means. Broadcasters, in other words, should be given the latitude to decide which is the best method for achieving their educational goals and judged only on the final outcome whether, that is, they have achieved these goals. Labeling programs as educational may be detrimental to their efforts.

Our second objection is related to the quality of information that may be available. For example, once parents identify a program labeled as "educational" how will they know if it is truly educational? As the Center for Media Education has noted in the past there have been some extraordinary claims.⁴² In the FCC proposal there is no means of assessing the quality of a station's educational claims or their success in achieving any educational objective. The rest of the information is thus useless. It is better, we believe, that the information be enlarged to include results and outcomes, proofs that the station is serious and successful in reaching its educational goals. For specific details on our assessment proposal please see our next section on our recommendations to the FCC.

Monitoring: In a matter closely related to these issues of information, the Commission proposes (perhaps out of concern that no immediate standards or guidelines may be forthcoming) that they would nonetheless begin to “monitor” stations in their efforts to meet the overall requirements of the Children’s Television Act of 1990.⁴³ They would require licensees to submit information such as their educational objectives and the amount and length of educational programs they have aired. We strongly support this proposal and encourage the FCC to find ways to widely disseminate the information it gathers. We suggest that all such information be published through various sources including print, television, and the internet. We recommend that in the future the FCC include in its profile the role of an educator in which they would collect, evaluate, and disseminate information pertaining to these issues. They would also serve the larger role of mediating the national and on-going conversation about television and education.

Defining an Educational Program: In their effort to encourage educational programming the FCC has found it necessary to clarify specific terms in its definition of a “core” educational program.⁴⁴ For example, a television program may be defined by its purpose. The Commission believes that an educational program should naturally have education as its “primary purpose.” But in reality the issue is not so simple. Disney has objected to such a requirement, because it may exclude programs that have entertainment as their primary purpose, but are nonetheless providing a significant amount of education, if only indirectly. Disney consequently proposed that the educational purpose be described as “significant” rather than “primary.” The Commission agreed that entertainment can and perhaps should coincide with education and proposed to define educational programs as those that are “specifically designed” to meet the educational needs of children. This may appear to be inconsequential haggling over semantics, sufficient enough to end the issue, but there is an underlying philosophical question that should be discussed. We support the Disney proposal because we know that education can take place in a variety of circumstances and environments. Whether it be a classroom, or a zoo, or an amusement park, the potential for extracting a lesson is limited only by the shape of the experience. Students learn a wealth of information from the literature of fiction as well as non-fiction.

This issue is closely connected to most of the other proposals the Commission offers in re-defining educational programs. Five of the six proposals are clearly intended to limit, define, and qualify educational programming, to give it a particular look, a time, a place, an identification. Thus the Commission proposes that educational programs be aired between 6 am and 11 p.m.; that they be of substantial length (15-30 minutes); that they be scheduled regularly; and that they be identified as children’s educational programs at the time of airing. All such proposals are understandable, born from decades of frustration. But such labeling and qualifying only serves to draw attention to these programs as being “Required by the Federal Government,” or the machinations of a “Educational Establishment” —institutions long since discarded by many of the very students it wishes to serve. In an anti-intellectual culture it becomes a form of stigmatization and any decent educational program ought to be spared the label.

Such defining and clarifying also precludes the creative efforts of broadcasters. Suppose, for example, that a broadcaster really was serious about educating children and focused on "buoyancy" as a lesson. It was then introduced in a brief ten minute morning segment. Later in the day the broadcaster had arranged with an advertising client a brief re-enforcing reference to the lesson in a commercial. In the evening the broadcaster figured a way to interject the lesson indirectly as part of the news and, with a bit of luck, got David Letterman to include reference to the lesson in the late evening's top ten list. At no time was this lesson identified as "educational," given a significant time slot, or any longer than ten minutes, but it became part of a child's television environment and perhaps made its way into the collective memory of the viewers. In fact, if broadcasters are to succeed in fulfilling their educational role they will undoubtedly want to be just as creative and flexible. They will need to do only what works, that is, accomplishes the lesson.

Education Has Value Only for Children? The concept of an expanded learning environment is pertinent to another point raised by the Commission in defining educational programs. The Commission proposes that educational programs be specifically designed for "children sixteen and under." Our objection to this proposal runs along the same lines as our previous objections. If children are to take learning seriously, they need to see education as part and parcel of their complete environment, not isolated in particular times of their day or life. If the knowledge we want our children to learn is indeed valuable, it will be worthy of adults as well, integrated into their world as well.

We all know from experience that children consistently assume the values practiced by adults they are around. This is a natural course of events; for how would any culture transmit its values? In a pre-industrial setting children participated with their parents and older siblings in the farming, hunting, gathering, and other cultural activities. Today a child struggling to comprehend the surrounding culture will try to do the same, watching and imitating their closest adults. Thus in a television culture the child will want to learn in the same manner their parents and older siblings are learning, by watching the same programs.

If we say that education is only for children, it also implies that it is a need one naturally grows out of. And if so, then children will be encouraged to abandon their education, if only to prove their maturity in an uneducated adult world. We recommend instead that education permeate a child's world and fill the entire spectrum of his or her life. If it is to be taken seriously it must become embroidered into the very fabric of the mediums we use and television is a major strand in that fabric. This is not to argue that programs can't be specifically designed for a particular age group, only that such programs should not become the exclusive source of learning on television.

Written Educational Objectives: There is one remaining and very important proposal relating to the Commission's definition of educational programming that deserves our attention. We focus on this point last because it is the most revolutionary of the proposals and will go the furthest, we believe, towards unleashing the full capabilities of educational television. The proposal is simple: the licensee should "specify in writing the educational objective of a core program, as well as its target child

audience.”⁴⁵ This goes directly to the heart of the matter. The Commission has set in motion a basic resolution to the dilemma that has faced the FCC for decades. With the business savvy of a modern manager and the moxie of union negotiator they have essentially laid their cards on the table. It is no longer a question of whether broadcasters will be held accountable to their public trust and educational responsibilities, but how. Written objectives are essential to depersonalizing the issues and add a matter-of-fact business like atmosphere to the task.

In a gesture of fairness to the broadcasters, the Commission’s proposes to allow broadcasters to select their own educational objectives as well as their specific target age group. Thus a station in Cincinnati may select literature for third graders, one presumes. It is important to note that this proposal differs significantly from all other proposed changes in the FCC definition of educational programs. The difference is in the form of accountability. Like the principal who judges teachers on the size and appearance of their bulletin boards, FCC proposals to judge broadcasters on their ability to label, define, and pigeonhole educational programs relies on appearances and not substance.

It is far better to do what every modern corporation and educational facility in America does when embarking on a mission. They select specific objectives, define each in terms of outcomes they hope to produce, and then assess themselves on the results. The first part of this process is what the Commission is proposing. What is lacking, however, is the ability to assess whether those objectives are ever met. Lacking such assessment the written objectives become hollow gestures and vague promises. But assessment, we contend, can and should become part of the FCC proposal. Towards this goal we offer specific avenues of recourse in our chapter on recommendations to the FCC.

Establishing a Safe Harbor: In anticipation that some broadcasters may be challenged on their efforts to meet the Children’s Television Act, the Commission proposes that broadcasters be shielded from criticism by a “processing guideline,” called a “safe harbor” within the FCC. To enter the harbor the licensee must air a minimum amount of educational programs per week.⁴⁶ The Commission proposes a minimum of three hours per week and leaves the door open for possible increases to five hours. The Commission is confident that the requirement would “not be difficult for the vast majority of stations to meet” because most stations already air from 3.6 to 4.64 hours a week according to industry studies.⁴⁷ In the light of such admissions, one wonders how there could or even should be any significant increase of educational programming. Nor does the proposal take into consideration the findings of the Center for Media Education which raise serious doubts about what broadcasters claim for educational programming and what really happens. The justification for concern is that the Commission has yet to define “educational and informational programming” to the point where it might persuade any reasonable parent or teacher that what is programmed is indeed educational.

The question of what makes a program educational is still so vague and unanswered as to turn the “safe harbor” into a boiling sea of criticism and frustration. There is yet another fear lurking in the bottom of the safe harbor proposal, a fear that the safe harbor may become an educational ghetto where poor and marginalized

shows are confined in the twilight of regular programming. Freed from the demands and distractions of education broadcasters may presumably return to the safer neighborhoods of commercial programming. In another respect one could object to such quantitative guidelines simple on the paltriness of the numbers. If a broadcaster fulfills the minimum requirement of three hours per week that would only be less than ten percent of the total viewing for the average child. And certainly that would not account for all children because the broadcaster would be choosing just one segment of the children's audience. Thus, on average, the exposure would be significantly less. If a teacher were to spend a proportional amount of time (out of an entire school week) actually teaching students, we would be justifiably alarmed.

The appropriate conclusion to these concerns we believe is: (1) avoid quantitative guidelines altogether and (2) establish an assessment program that will provide assurances to parents, children, and educators that what is programmed as educational is truly educational. In our chapter on "Recommendations to the FCC" we propose a way in which the Commission may make proper assessment of a station's compliance to the CTA and avoid quantitative requirements.

Programming Standards: The Commission's proposal for a quantitative requirement (three hours a week of educational programming) is described above as a "processing guideline." The Commission is also considering establishing the same quantitative requirement (three hours a week) as a "programming standard." The difference between a "processing guideline" and a "programming standard" seems artificial and unnecessary to us. We understand that it has to do with the difference between "sufficient" and "necessary" but we beg the question. In the spirit of keeping things simple and clear, may we simply say that a rule is a rule.

In summary, we heartily support the Commission in its efforts to improve educational television. We find that its basic principles of a free market and an informed audience will go far to reconciling television and education. We agree with several of the proposed rule changes especially the requirement that broadcasters establish in writing the objectives they will use to fulfill their educational responsibilities as established in the Children's Television Act of 1990.

We understand the desire of the FCC to seek clear identification and labeling of educational programs and appreciate their intent to quantify the efforts of licensees as they strive to meet the CTA requirements. But we are concerned that such quantification will interfere with broadcasting freedoms and tend to stigmatize educational programs, relegating them to a de facto ghetto of the airways with few interested viewers. Our concern is extended by the fact that many of the proposed rule changes focus on the means or appearances of learning but not final outcomes. We believe that in education, as in any other American enterprise, there is a bottom line and one which is easily articulated. Put simply it asks, "Did the children learn anything?" It is the final assessment that anyone involved in the education of children must confront. In the next chapter we provide a suggestion on how the Commission might provide an answer to this question.

CEP's Recommendations to the FCC

Introduction: The following recommendations are proposed to the FCC in the hope that they will provide a step towards resolution of the historic conflict between commercial television and the public interest. Because we believe in the priority of market forces in the expression of public will and support the broadcasters' need for full and complete discretion in designing their programs we offer an alternative to both qualitative and quantitative guidelines. Because we also believe in the priority of education in the competing claims for our children's minds, we offer a process by which broadcasters may fulfill the public responsibilities to the educational needs of our children.

Cooperation: Our vision of the future is one of intense cooperation, the type of American cooperation we witnessed in the Gulf War and during the emergency relief efforts in Oklahoma City. It is the type of cooperation that will unite broadcasters and teachers, federal agencies and local school boards, the FCC and the Department of Education. This last suggestion is not a frivolous one. If a "public trust" does indeed exist with broadcasters as defined by law and if this trust is indeed "educational and informational" as defined by law then we would conclude that broadcasters have a responsibility similar to the public responsibility of teachers, which is to educate our children. If we acknowledge that the mission of broadcasters is in part educational and similar to the mission of educators across the land, then we have already begun the process of cooperation.

Our first recommendation is that cooperation become a fundamental principle in the Commission's overall inquiry. We recommend further that cooperation be particularly focused on bridging the gap between the world of commercial television and the world of education. Those in the world of education have much to learn and share with those in the world of television and those in television have much to learn and share with those in education. Unfortunately, many of the present proposals before the Commission do not have cooperation as their guiding principle and could easily be characterized as adversarial. Parents, for example, are urged to take part in the assessment process on television by "coordinating contacts with the station and its advertisers, and by otherwise bringing community pressure to bear."⁴⁸ Most parents we believe have neither the time nor the will to get into a major fray with broadcasters and would rather participate in a cooperative effort to help them fulfill their educational responsibilities.

A few cable broadcasters have already begun experimenting with such cooperative programming such as their "CNN Newsroom" which provides supplemental video footage, on-line data bases, and study guides to coordinate with classroom textbooks and lessons. We envision a time in the future when a major advertiser like McDonald's may incorporate within their commercials entertaining reinforcements of an educational lesson aired on national television just prior to the commercial; on the same day we imagine teachers also delivering the same lesson in their classroom and parents discussing the lesson with neighbors across the land and on talk radio. How could such cooperation occur? It all begins with assessment.

Assessment: The Commission has already taken a decisive step towards an educational assessment process by proposing that licensees select their own objectives and target audiences. In the business world this is a popular means of assessment, often referred to as management by objective. Throughout the seventies the educational world looked to our nation's businesses for ideas on increasing productivity; almost uniformly they adopted the management by objective form of assessment. Several states such as California require written objectives of teachers as well as administrators. Other state and federal agencies, overwhelmed with dwindling funds and a need for greater accountability, have begun to link their funds to written objectives. The popularity for management by objective is its fairness, accountability, and the freedom it offers teachers and schools to create their own goals without imposition from above.

The best objectives are naturally those that have measurable outcomes. Outcome-based assessment is generally favored by industry and education alike. In outcome-based assessment, the focus is always on the final outcome, leaving the various means and methods to the discretion of the worker or manager. "Outcome-based" assessment reflects the pragmatism of our times and is rapidly becoming an integral part of the educational reform movement. As the public grows impatient with our schools and cry for results, outcome-based assessment has become the "bottom line" of modern education. The most frequently asked question in education today is: "Did the students learn anything and can you prove it?" Such assessment also provides an answer to the wide array of competing claims for various teaching methods and materials by focusing, not on the methods, but on the final results. In a similar way outcome-based assessment could provide an answer to the wide array of educational claims made by broadcasters as documented by the Center for Media Education.⁴⁹

There are many forms of outcome-based assessment starting with the regular standardized machine-scored, multiple-choice tests. Many states, schools, and colleges, due to their sheer numbers, rely on these. The Educational Testing Service provides a number of such testing services including the national SAT test. Interestingly, thirty-eight states in 1992 used popular, yet more experimental, "performance-based" tests.⁵⁰ Such tests go beyond multiple-choice and includes outcomes such as writing samples, science projects, and portfolios of work complete by the student; the purpose being to establish clear proof that a student has mastered the skills and not just passed a test. The National Assessment of Educational Progress, often called "the nation's primary barometer of student achievement," uses a combination of multiple-choice and performance tasks.⁵¹ Such tests are considered valid and reliable. In short, we recognize that, if the education model is adapted, some broadcasters may prefer the standardized multiple-choice tests, while others will want to experiment with performance-based tests because they allow greater flexibility in the design of their objectives. Still others may want to use a combination of these.

None of this is to imply that broadcasters are unfamiliar with testing or assessment. In fact, much of what they do is identical to educational assessment, only it is called market research. David Marc once explained in *The Atlantic Monthly* the assessment procedures used by network television: "The network must show

scientific evidence in the form of results of demographic experiments. Each pilot episode is prescreened for test audiences who then fill out multiple-choice questions to describe their reactions. Data are processed by age, income, race, religion, or whatever cultural determinants the tester deems relevant."⁵² Like education, commercial television recognizes the importance of outcomes; in their case its the selection of programs and the purchase of products that are the salient outcomes. Furthermore, one of the most popular concept in telecommunications today, that of "interactivity," has much in common with performance-based testing in education, the goal being the same: to activate a measurable response. The concepts of matrix sampling and statistical analysis are common to both worlds, but are undoubtedly practiced by broadcasters with more sophistication and intensity. The general practice of utilizing "focus groups" is unique to television and limited to the gathering of market data. The focus group procedure, however, could easily be adapted to the assessment of educational outcomes and may offer broadcasters an established format for their self-evaluation.

Self-evaluation is a cornerstone of our assessment proposal. It is our recommendation that broadcasters be allowed to devise their own objectives and programs as well as be given the opportunity to devise their own assessment procedure, utilizing their own technical expertise including the possibility of focus groups, multiple-choice tests, or performance-based activities. In agreement with the Commission's basic principle of "easy access to information," we also recommend that the objectives and the assessment procedure along with the results of a station's educational endeavor be available to the public and, more importantly, disbursed appropriately to the station's audience.

Selection of Objectives: For the broadcaster there is no greater opportunity for cooperation than in the selection of educational objectives. Under the Commission's proposal broadcasters may select their own objectives and under this proposal, one might think, a plethora of idiosyncratic objectives might occur, all with no relationship to the others, a cacophony of voices unheard of in the annals of the medium. But this is not likely to happen, for it will be to the advantage of each station to cooperate with all the others. If it were known, for example, that two major networks were to select the Civil War as an educational objective and that the programs were of such quality as to inspire millions of children, it might be wise as an independent station to do nothing but select the Civil War as an objective as well. Perhaps the independent or local station could in turn coordinate contacts with local parents and broadcast short quizzes on the war, or award prizes to the school with the best scores. They would do this to influence their own educational ratings. Opportunities like these are actually part of the current FCC proposals under "Program Sponsorship" where the Commission suggests that licensees may provide "financial or other 'in-kind' support for programming aired on other stations in their market."⁵³ The major networks would, in turn, be wise to coordinate the series on the Civil War with teachers and parents if only to improve their own educational ratings. Conceivably the entire nation could be working on the history of the Civil War together. Education, like television, can be a contagion.

Standards: No monumental act of national cooperation can begin, however, until we agree about what we're doing. Thus we recommend that the FCC assume, as part of its educational mission, the job of assisting broadcasters in reviewing and adopting a set of common goals, a series of national educational standards, that will serve as a framework for industry-wide cooperation. The Commission need not look far in their quest, however, for the world of education has already embarked upon such a task and with remarkable success.

Although national standards in education have been in existence since in 1954 the movement to set "world class" academic standards began when President Bush and the nation's governors met in Charlottesville, Virginia in 1989. The result of their meeting was the Goals 2000: Educate America Act signed by President Clinton in 1994. It called for cooperation among parents, businesses, schools, and state agencies. Among its most important accomplishments was the creation of a National Education Standards and Improvement Council which disburses funds to states to create their own academic standards. There seems to be a broad non-bipartisan grassroots support for national standards. In the 1992 presidential campaign all three candidates endorsed national standards and national examinations. President Clinton currently supports national standards as formulated in the Goals 2000. Republican presidential candidate and former Secretary of Education under Reagan, William J. Bennett, also supports national standards in order to correct what he terms a "palpable cultural decline" in America.⁵⁴ The editors of Education Week recently reported that "Republican and Democratic Administrations and governors on both sides of the aisles have embraced the need for standards in education. Government officials at the state and federal levels have passed legislation, created structures, and allocated funds to facilitate the standards-setting process. And parents and tax payers have voiced strong support for the idea."⁵⁵

The use and availability of national standards should not, however, preclude the use of local standards. Many broadcasters may prefer to coordinate their efforts with individual states or local districts, adopting their academic standards. Many states and schools districts already have standards and assessment procedures in place. Forty-eight states have already applied for federal grants to develop or improve their standards and assessment methods under Goals 2000. We feel this is a suitable and appropriate alternative, but recommend that national broadcasters who appeal to national audiences should utilize national standards. Whether broadcasters utilize national or local standards, they may want to identify programs using these standards with an appropriate icon or symbol, signifying whether national or local standards are being used. However, this should not be required of broadcasters.

Clearly our assessment proposal is designed to assist broadcasters in their efforts to meet the educational requirements of the Children's Television Act of 1990. Furthermore, we hope to set into motion a period of national cooperation as we link ideas to enhance the educational needs of our children. We do not purport to have resolved all the issues and realize that in this proposal much remains to be considered. How many objectives should a broadcaster have? How large an audience? How frequent the assessment? Who decides? These plus many more questions have yet to be answered. The task is perhaps daunting, but as President Kennedy once said, "We didn't go to the moon because it was easy."⁵⁶

- ¹ Marshal McLuhan, interview, cited in "On Television: Teach the Children" Public Broadcasting Service, 1994
- ² Fred Friendly, cited in "It's the Law!" Video, Center for Media Education, 1992
- ³ George Gerber, Annenberg School, Univ. of PA, cited in "On Television: Teach the Children," Public Broadcasting Service
- ⁴ Dorothy Singer, cited "On Television: Teach the Children," Public Broadcasting Service
- ⁵ Jim Henson, cited in "On Television: Teach the Children," Public Broadcasting Service
- ⁶ President George Bush, cited in "On Television: Teach the Children," Public Broadcasting Service.
- ⁷ Hutchins, *The Great Conversation*, p 1
- ⁸ Cited in Keller, *Television and the Crisis of Democracy* (Boulder, Westview Press, Inc.) 1990
- ⁹ Aronowitz, "Mass Culture and the Eclipse of Reason: The Implications for Pedagogy" in *America Media and Mass Culture*, edited by Donald Lazere, p 465
- ¹⁰ Hutchins, *The Great Conversation*, p 11.
- ¹¹ Barbara Bush, cited in "A Nation of Illiterates?" *US News and World Report*, May 17, 1982. p 53.
- ¹² National Assessment of Educational Progress, Report, 1988
- ¹³ As President Hoover said of radio: "It is to be considered as a public trust, and to be considered primarily from the stand point of the public interest." cited in Fly and Durr, *Broadcasting and Government Regulation in a Free Society*, (Santa Barbara, Center for the Study of Democratic Institutions, 1959)
- ¹⁴ On average, four hours a day. Nielsen Media Research, February, 1991.
- ¹⁵ Senator Bill Bradley, National Press Club Speech, February 9, 1995. National Public Radio.
- ¹⁶ David Marc, "Understanding Television," *The Atlantic Monthly* (August, 1984) p 33 ff.
- ¹⁷ Gerbner, *Journal of Communication* 32, no 2 (1982)
- ¹⁸ Michael T. Marsden, Introduction to "Popular Culture and the Teaching of English," *Arizona English Bulletin* 17, no. 3 (1975)
- ¹⁹ Lance Morrow, *Time* (October 24, 1988) p. 21.
- ²⁰ cited in Kellner, *Television and the Crisis of Democracy* p. 133.
- ²¹ Vance Packard, *The Hidden Persuaders*
- ²² Boorstein, *The Image*, p. 184
- ²³ Al Gore, cited in Edwin Neuman, in "On Television: Teach the Children," Public Broadcasting Service
- ²⁴ Postman, *Teaching as a Conserving Activity* (New York: Delacorte Press,) 1979
- ²⁵ Kate Moody, *Growing Up on Television—The TV Effect* (New York: Times Books, 1980) p .67
- ²⁶ Postman, *Teaching as a Conserving Activity* (New York: Delacorte Press,) 1979
- ²⁷ Aletha C. Huston, chairwoman for the American Psychological Association's Task Force on Television and Society. Cited in "Honey, I Warped the Kids" *Mother Jones* July/August, 1993. p 17 Huston noted that over 3,000 studies have been performed on TV and violence and virtually all say the same thing.
- ²⁸ Cited by Jaime O'Neil, "The Note on the Classroom Floor," *This World, SF Chronicle*, February 6, 1994.p 10
- ²⁹ Victor Walling, strategy analyst for SRI, a management consulting firm "A Nation of Illiterates," *US News and World Report*, May 17, 1982, p. 55
- ³⁰ Leon Botstein, "Illiteracies and American Democracy" in *Literacy: An Overview by 14 Experts* (New York, The Noonday Press, 1991) p71.
- ³¹ Professor Lois DeBakey at Baylor University "A Nation of Illiterates?" *US News and World Report*, May 17, 1982, p. 53
- ³² Cf. Center for Media Education, "A Report on Station Compliance with the Children's Television Act" September 29, 1992.
- ³³ "Strong Families, Strong Schools" Education report released Sept. 7, 1994. Riley called the report a "call to arms against ignorance and low expectations and it is also a challenge to adult America to reconnect with children's education."
- ³⁴ "Study Links Television Viewing, School Readiness," *Education Week*, June 7, 1995, p5.
- ³⁵ FCC NPRM, April, 1995, paragraph 3 ff.
- ³⁶ Thomas Jefferson, *Letter to William Charles Jarvis*, September 28, 1820

-
- ³⁷ Thomas Jefferson, *Letter to Colonel Charles Yancey*, January 6, 1816
- ³⁸ FCC NPRM, April, 1995, paragraph 6.
- ³⁹ FCC NPRM, April, 1995, paragraph 21-59.
- ⁴⁰ FCC NPRM, April, 1995, paragraph 21-22.
- ⁴¹ FCC NPRM, April, 1995, paragraph 24.
- ⁴² Center for Media Education, "A Report on Station Compliance with the Children's Television Act" September 29, 1992.
- ⁴³ FCC NPRM, April, 1995 paragraph 52.
- ⁴⁴ Ibid., paragraph 36 ff.
- ⁴⁵ Ibid., paragraph 38.
- ⁴⁶ Ibid., paragraph 56 ff.
- ⁴⁷ Ibid., paragraph 57. Studies cited are those by the National Association of Broadcasters and the Association of Independent Television Stations, Inc.
- ⁴⁸ FCC, NPRM, April 1995, paragraph 22.
- ⁴⁹ Center for Media Education, "A Report on Station Compliance with the Children's Television Act" September 29, 1992.
- ⁵⁰ Lynn Olson, "The New Breed of Assessments Getting Scrutiny" Education Week, March 22, 1995, p10.
- ⁵¹ Ibid., p 11.
- ⁵² David Marc, "Understanding Television" *The Atlantic Monthly* (August, 1984) p 35.
- ⁵³ FCC, "Notice of Proposed Rule Making," April, 1995, paragraph 77.
- ⁵⁴ William J. Bennett, *The Index of Leading Cultural Indicators*, (New York: Simon and Shuster, 1994) p.
- ⁵⁵ "Struggling for Standards," pullout section, Education Week, April 12, 1995, page 3.
- ⁵⁶ President John F. Kennedy, Inaugural Address.

Appendix

About the CEP: The Center for Educational Priorities is a recently formed advocacy group based in San Francisco. Our mission is to bring greater national attention to the priorities of education in all areas of American life especially in the media. We agree with the African proverb which observes that a whole community is needed to raise a child and recognize the significant role American culture plays in the education of our youth. Thus we advocate for greater educational responsibilities be assumed by the creators of popular culture.

About the Director of CEP: Brian Burke has spent over a quarter century of his life in education, working throughout the San Francisco Bay Area since the mid-sixties as a counselor, therapist, teacher, and administrator. He has spent the past twenty years working as a teacher and community activist in a small rural community of Northern California with a large population of Native Americans. He possess a masters degree in English from UCB and a maters degree in Educational Administraton from San Francisco State. As a union leader he designed and directed one of California 's few merit pay programs for teachers. He was the founding director of the Round Valley Community Theater and has acted in several plays as well. In his spare time he is a free-lance writer and graphic artist with interests in the environment as well as education.

**The Center for Educational Priorities
2269 Chestnut Street, #301
San Francisco, California 94123
(415) 995-4988
email: btburke@cep.org**